

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

LARRY L. HENDERSON,)
)
Plaintiff,)
)
v.) No. 4:15CV480 NCC
)
PAUL LISTENBERGER, et al.,)
)
Defendants.)

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion extension of time pay his initial partial filing fee. [Doc. #14]. Also before the Court is defendants' second motion for extension of time to file an answer or other responsive pleading. [Doc. #16].

Plaintiff seeks an additional thirty (30) days to pay his initial partial filing fee of \$6.95 due to his transfer from one BOP facility to another. The Court will grant his request.

Defendants seek an additional fourteen (14) days to file their answer or other responsive pleading, stating that they have yet been unable to attain plaintiff's diet and medical records, and they would like to have these records in order to properly prepare a response to plaintiff's complaint. The Court will grant defendants' request for a fourteen (14) day extension of time.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for extension of time to pay his initial partial filing fee is [Doc. #14] is **GRANTED**. Within thirty (30) days of the date of this Memorandum and Order, plaintiff is instructed to pay an initial partial filing fee of \$6.95. Plaintiff is instructed to make his remittance payable to Clerk, United States District Court, and to

include upon it: (1) his name; (2) his prison registration number; (3) the case number; and (4) that the remittance is for an original proceeding.

IT IS FURTHER ORDERED that if plaintiff fails to pay the initial partial filing fee within thirty (30) days of the date of this Memorandum and Order, this case will be dismissed without prejudice.

IT IS FURTHER ORDERED that defendants' second motion for extension of time to file an answer or other responsive pleading [Doc. # 16] is **GRANTED**. Defendants' shall file their answer or other responsive pleading within fourteen (14) days of this Memorandum and Order.

Dated this 19th day of May, 2015.

/s/ Noelle C. Collins
NOELLE C. COLLINS
UNITED STATES MAGISTRATE JUDGE